

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.:

Filing Date:

Applicant: Kenneth A. Kaufman et al.

Group Art Unit:

Examiner:

Title: Integrated Symmetrical Reflector and Boom

Attorney Docket: NGC-00083 (11-1178)

Mail Stop Petition
Commissioner for Patents
P.O. 1450
Alexandria, VA 22313-1450

PETITION UNDER 37 CFR 1.47

Sir:

This is a Petition pursuant to 37 CFR 1.47 to have the above-identified application be made my co-inventors Kenneth A. Kaufman, Garrett R. Wittkopp and Kenneth W. Kawahara on behalf of themselves and co-inventor, John E. Richer, who refuses to join in the application. Based on the following facts, it is believed to be proper that this Petition be granted and the signature requirements of the Declaration be satisfied. The Petition fee of \$130.00 pursuant to 37 C.F.R. §1.17(h) is included herewith. The last known address of John E. Richer is 2700 Medford Court, Carlsbad, California 92008.

The undersigned hereby declares that:

09/22/2003 AADOF01 00000028 10663924

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1. On May 1, 2003, the undersigned forwarded the application and Declaration to the lead inventor, Kenneth A. Kaufman, at his office at Northrop Grumman Corporation, the Assignee of this application, and requested that Mr. Kaufman have all of the inventors review the contents of this application and sign the application Declaration. At that time, the undersigned was unaware that Mr. Richer was not an employee of Northrop Grumman.

2. On August 13, 2003, Mr. Kaufman returned the application and Declaration to the undersigned through the letter of Attachment A. The Declaration had been executed by each of the inventors, Mr. Kaufman, Mr. Wittkopp and Mr. Kawahara. In that letter, Mr. Kaufman stated that the fourth co-inventor, John Richer, was an employee of Composite Optics, Inc. at the time the invention was conceived and submitted for patent, but was unaware of his current whereabouts. Mr. Kaufman directed the undersigned's attention to a lawyer, Mr. Spencer Glenday of Composite Optics, to determine John Richer's whereabouts.

3. On or about August 20, 2003, the undersigned spoke with Mr. Glenday of Composite Optics and was told that John Richer was now an employee of Vanguard Composite Group of San Diego, California.

4. On or about August 21, 2003, the undersigned spoke with John Richer concerning the application and the need to have the Declaration signed to fulfill the application filing requirements. Mr. Richer did not give an indication at that time that he was unwilling to sign the Declaration. The undersigned then forwarded the application and Declaration to Mr. Richer by overnight courier to Mr. Richer's office for signing the Declaration through the letter of Attachment B.

5. Having not received the Declaration from Mr. Richer, the undersigned, on or about September 2, 2003, again called Mr. Richer to inquire about the Declaration. Mr. Richer informed the undersigned at that time that on the advice of Vanguard Composite attorney, Randy Kay, he refused to sign the Declaration. The undersigned asked Mr. Richer as to the reason for his refusal to sign the Declaration, where Mr. Richer stated that a pending lawsuit existed between Composite Optics, Inc. and Vanguard Composite Group. Mr. Richer was not specific as to the nature of the lawsuit. It is the undersigned's belief and understanding that the lawsuit is unrelated to the application and the Assignee of this application, Northrop Grumman Corporation. The undersigned then requested that Mr. Richer return the application and Declaration to the undersigned.

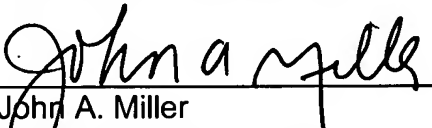
6. The undersigned received the application and unsigned Declaration on September 10, 2003.

It is believed that the requirements of 37 C.F.R. 1.47 have been met, and that this application has been made by the inventors Kenneth Kaufman, Garrett Wittkopp and Kenneth W. Kawahara for themselves and on behalf of the non-signing inventor, John Richer.

Respectfully submitted,

WARN, BURGESS & HOFFMANN, P.C.
Attorneys for Applicant(s)

Date: 9/16/03


John A. Miller
Registration No. 34,985

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Northrop Grumman Space & Mission Systems Corp.
Space Technology
One Space Park
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13 August 2003

Warn, Burgess & Hoffmann, P.C.
Attention: John A. Miller
691 North Squirrel Road – Suite 140
Auburn Hills, Michigan 48326

Dear Mr. Miller:

The enclosed patent disclosure has been signed by the three Northrop Grumman co-inventors. The fourth co-inventor, John Richer, was an employee of Composite Optics, Inc. (COI). Mr. Richer is no longer an employee of COI and his current whereabouts is unknown. Mr. Spencer Glende (801) 251-2681, is a COI patent lawyer who is aware of this disclosure.

Please contact him regarding Mr. Richer and whether COI is interested in continuing to participate in this patent.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth A. Kaufman".

Kenneth A. Kaufman
Manager, Spacecraft
Northrop Grumman Space Technology

Enclosure

KAK/mrh

KAK144

LAW OFFICES
WARN, BURGESS & HOFFMANN, P.C.

Intellectual Property Matters
PATENTS, TRADEMARKS AND COPYRIGHTS

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August 21, 2003

Vanguard Composites
5550 Oberlin Drive, Suite B
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VIA FEDERAL EXPRESS
OVERNIGHT DELIVERY

Attn: John E. Richer

Re: U.S. Patent Application entitled "Integrated Symmetrical Reflector and Boom"
Inventor(s): Kenneth A. Kaufman et al.
Docket No. 11-1178
Our Docket No. NGC-00083

Dear Mr. Richer:

Pursuant to my telephone call of today's date, enclosed is a copy of the above-identified patent application of which you are a co-inventor. Also enclosed in connection with this application is a Declaration and Power of Attorney document and an Assignment document. These documents are necessary to satisfy the formal requirements for filing an application in the U.S. Patent Office. Please note that the Declaration states that you have reviewed and understand the contents of the application and that you acknowledge your duty to disclose information that is material to the examination of the application. As you can see, your co-inventors have already executed these documents.

Please sign and date these documents where indicated and return the signed documents to me in the enclosed envelope so that I can file the application in the United States Patent Office. If you have any questions, please do not hesitate to contact me. Thank you for your attention to this matter.

Very truly yours,


John A. Miller

JAM/cac
Encl.

cc: Lorna Schott (w/out enclosures) - via e-mail
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